

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA OF
NORTHERN DIVISION

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|-------------------------------|---|--------------------------|
| ALLEN WALKER, |) | |
| |) | |
| Plaintiff, |) | |
| v. |) | CASE NO. 2:08-cv-994-MEF |
| |) | |
| BARRY BRIGGS, <i>et al.</i> , |) | (WO) |
| |) | |
| Defendants. |) | |

ORDER

On October 28, 2009, the Magistrate Judge filed a Recommendation (Doc. #24) in this case to which no timely objections have been filed. Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is the

ORDER, JUDGMENT and DECREE of the court that:

1. The Recommendation of the Magistrate Judge is ADOPTED.
2. The defendants' motion for summary judgment is GRANTED and plaintiff's complaint is DISMISSED with prejudice due to plaintiff's failure to properly exhaust his available administrative remedies.

DONE this the 19th day of November, 2009.

/s/ Mark E. Fuller
CHIEF UNITED STATES DISTRICT JUDGE